

How did the people approve the new Constitution?

LESSON PURPOSE

In this lesson you will learn about the struggle to get the Constitution ratified. You will learn how the Framers planned to have the people decide whether or not to approve the Constitution. You will also examine the arguments made by the Anti-Federalists and the Federalists for and against the new Constitution.

When you finish the lesson, you should be able to explain why the ratification process was important. You should also be able to describe the arguments for and against approving the Constitution.

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TERMS TO UNDERSTAND



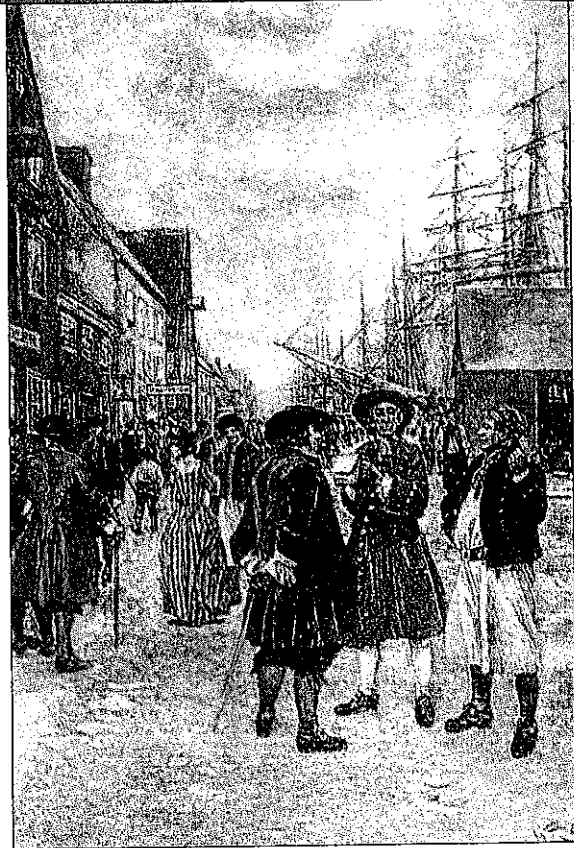
Anti-Federalists
Federalists
ratify
The Federalist

Why did the Framers want the people to ratify the Constitution?

The Framers did not believe they had created a perfect plan of government. The four months they spent creating the Constitution had been filled with disagreements. A few delegates had walked out of the convention. Some delegates refused to sign the Constitution. The great majority of Framers, however, thought they had done a good job.

After creating the Constitution, the Framers knew that they had to get it approved. James Madison was afraid that the Constitution would be rejected if either the Congress or the state legislatures were asked to ratify it. To **ratify** means to approve. To avoid rejection, Madison developed a plan. His plan was to get the voters to ratify the Constitution at special conventions to be held in each state. The delegates to these conventions would be elected by popular vote of the people for the sole purpose of approving the Constitution.

Madison based his plan on the idea in the Preamble to the Constitution. The first words in the Preamble are "We the People...do ordain and establish this



How did Madison plan to get the people to approve the new Constitution?

Constitution." The people who were to be governed by the new national government would consent to its creation and agree to obey its decisions. This was the method for establishing a government set forth in the natural rights philosophy and in the Declaration of Independence. Thus, the Framers used the idea of a social



*How were people in cities far from Washington, D.C., able to participate in government?
How is it easier to participate in government now than it was in the late 1700s?*

contract to get the Constitution approved. It was to be approved by an agreement among the people to create a national government.

The Framers approved Madison's plan. Article VII said that the Constitution would be in effect after it had been ratified by the conventions of nine of the thirteen states. The Framers required approval of the voters of nine states because they were afraid they would not get the approval of all thirteen.

Who were the Federalists and Anti-Federalists?

Once the Philadelphia Convention ended, the Federalists went to work. The Federalists were the people who supported ratifying the Constitution. The Federalists asked the states to organize their ratifying conventions as quickly as possible. They knew that their opponents had not had much time

to prepare their arguments. By contrast, the supporters of the Constitution had worked on it for four months. They knew the arguments for and against it.

To explain the new Constitution to the people, Alexander Hamilton, James Madison, and John Jay wrote a series of articles for a New York newspaper supporting ratification. These collected articles are called *The Federalist*. *The Federalist* was read in other states as well. Today, *The Federalist* remains one of the most important explanations of constitutional government ever written.

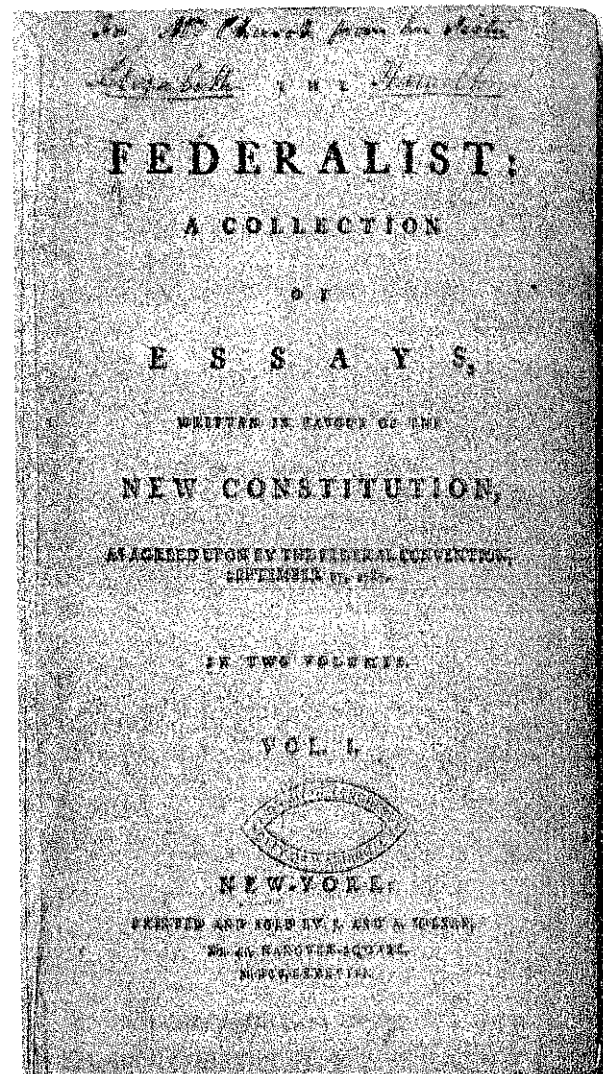
The Anti-Federalists were the people who opposed ratifying the Constitution. Anti-Federalist leaders included George Mason, Edmund Randolph, and Elbridge Gerry. Each had attended the Philadelphia Convention but refused to sign the Constitution. Although John Hancock, Samuel Adams, and Richard Henry Lee had all signed the Declaration of Independence, they too were against ratification.

Patrick Henry had always opposed the idea of a strong national government. Henry became a leading Anti-Federalist. Mercy Otis Warren, a playwright, also was against ratification. She wrote pamphlets explaining why she did not support the Constitution.

Most Americans were very suspicious of government, but the Anti-Federalists were especially mistrustful of government in general and strong national government in particular. This mistrust was the basis of their opposition to the Constitution. They feared it had created a government the people could not control. The Anti-Federalists feared that flaws they saw in the Constitution would be a threat to their natural rights. During the ratification debates, the Anti-Federalists put up a strong fight.



Why were Anti-Federalists like Mercy Otis Warren opposed to ratification of the Constitution?

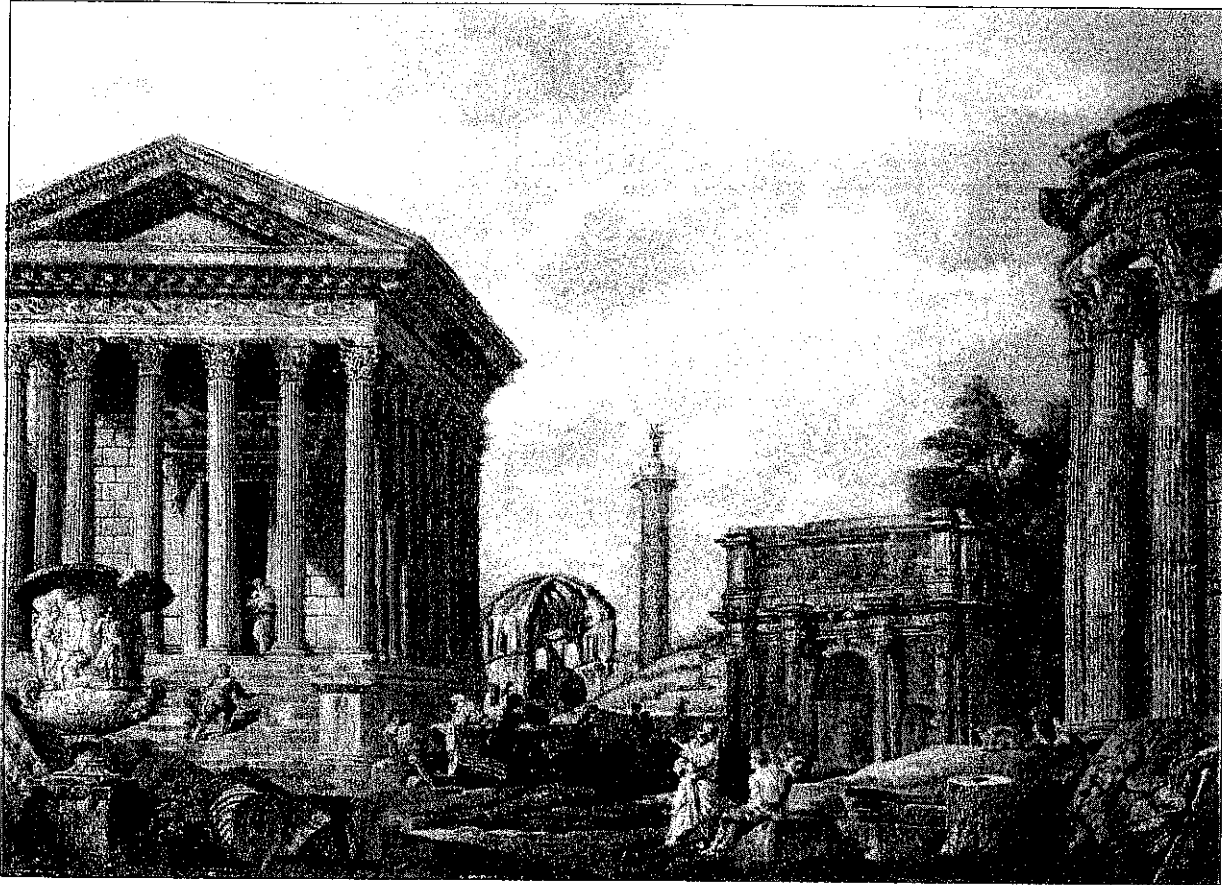


*What is The Federalist?
Who wrote it?
Why is it important?*

What issues related to the new Constitution did the people debate?

The debates in the states lasted ten months. It was an intense and sometimes bitter political struggle.

Both the Federalists and Anti-Federalists made many arguments for and against the Constitution. However,

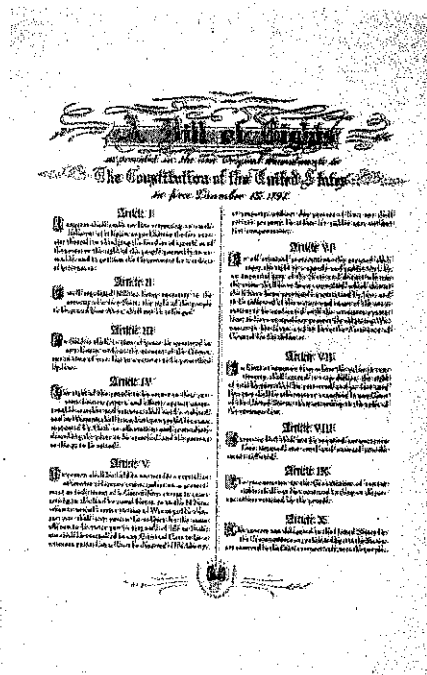


The small republics of the ancient past eventually collapsed. How did the Federalists propose to prevent this from happening to the new nation?

the most intense arguments were about three basic issues:

- whether the Constitution would maintain republican government,
- whether the national government would have too much power, and
- whether a bill of rights was needed in the Constitution.

The chart on the next two pages will help you see both sides of the debate. The chart summarizes how the Federalists and Anti-Federalists responded to each of the three issues.



Do you think a bill of rights would cause intense debate today? Why or why not?

Does the national government have too much power?

ANTI-FEDERALISTS

The Constitution gives the national government too much power at the expense of the state governments. It gives government the power to tax citizens. It gives government the power to raise and keep an army during peacetime. This army could be used by government to suppress the people.

The supremacy clause means that all the national government's laws are superior to laws made by the states. It will only be a matter of time until the state governments are destroyed.

The necessary and proper clause is too general. It gives too much power to the national government. It is dangerous not to list all the powers of government in order to put clear limits on them.

The Constitution gives too much power to the executive branch of government. It will soon become a monarchy.

FEDERALISTS

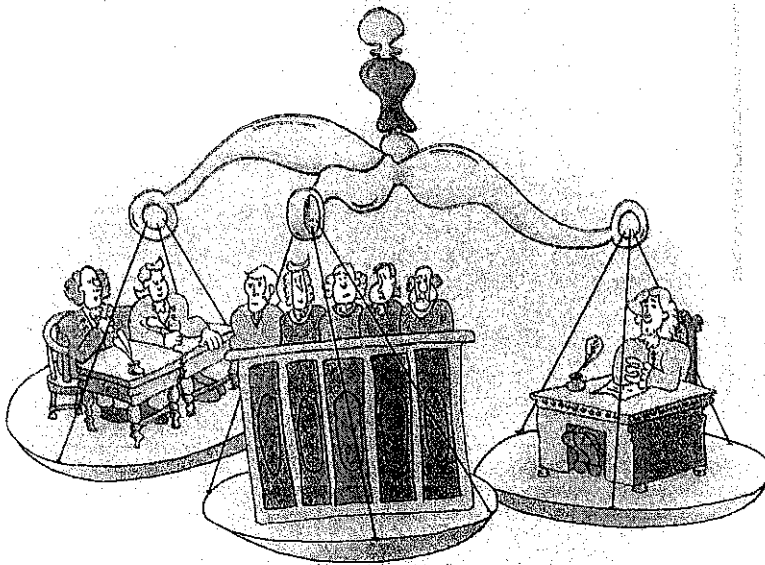
The national government will have greater power than it did under the Articles of Confederation. But its powers are limited to solving problems that face the entire nation, such as trade and defense. The recent history of the states shows that a stronger national government is needed to deal with such problems.

The Constitution provides protections for the state governments by specifically reserving certain powers for the states. This will prevent the states from being destroyed by the national government.

The necessary and proper clause and general welfare clause are needed if the national government is to do the things it is responsible for doing.

A strong executive branch is necessary. It is needed if the national government is to fulfill its responsibilities. Congress and the U.S. Supreme Court have checks on the use of power by the executive branch. The executive branch cannot become a monarchy.

The powers of the national government are separated and balanced among the three branches. No one branch can dominate the others. This system makes it impossible for any person or group to take complete control of government.



Does the Constitution provide for republican government?

ANTI-FEDERALISTS

Throughout history, the only places where republican governments worked had been in small communities. There, the people had similar wealth and the same values. People who are not too rich or too poor are more likely to have civic virtue. Such people are more likely to agree on what is best for their common good. The new nation would be too large and diverse. The people will not be able to agree on their common welfare.

Free government requires the active participation of the people. The national government will be located far from where most people live. People will be unable to participate in government. As a result, the only way government will be able to rule will be with military force. The result will be a tyranny.

FEDERALISTS

History has proven that selfish groups destroyed all of the small republics of the past. The civic virtue of the citizens was not enough to keep people from seeking their own interests. People did not work for the common good. A large republic where power is divided between the national and state governments is a better solution. It is also better to organize government based on checks and balances. Under such a government, it will be more difficult for special interests to work against the common good.

The national government cannot become a tyranny. The limits placed on government by the system of separation of powers and checks and balances will prevent it. Government will be so good at protecting the rights of the people that it will soon gain their loyalty and support.

Is a Bill of Rights needed for the Constitution?

ANTI-FEDERALISTS

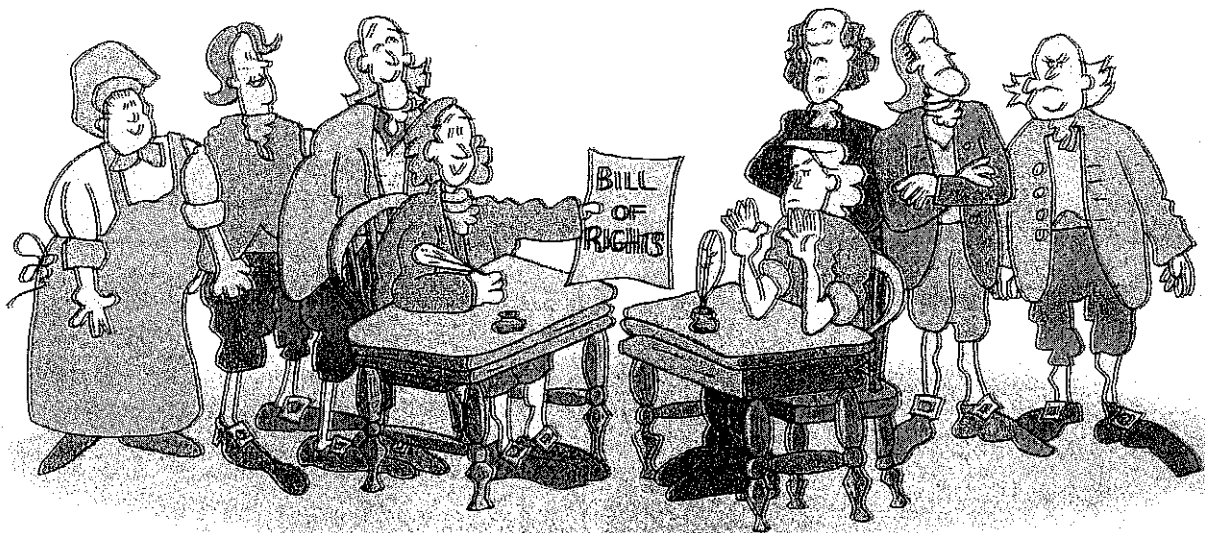
The Constitution does not include a bill of rights. A bill of rights is necessary to protect people against the power of the national government. There is no mention of freedom of religion, speech, press, or assembly. Since these freedoms are not in the Constitution, government is free to violate them. Americans recently fought a war to secure their fundamental rights. They do not want a constitution that places those rights in jeopardy.

FEDERALISTS

A bill of rights is not needed. The Constitution is the ultimate protection for people's rights and the people are the ultimate sovereigns. The Constitution does not give government the power to deprive people of their rights. It gives government only limited power to do certain things. A bill of rights will give the impression that the people can expect protection only for the rights that are actually listed. The Constitution protects a number of rights by requiring writs of habeas corpus, and prohibiting ex post facto laws and bills of attainder.

ANTI-FEDERALISTS

FEDERALISTS

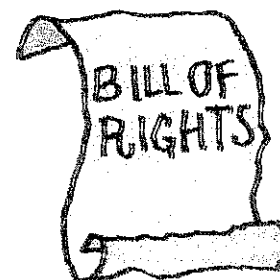
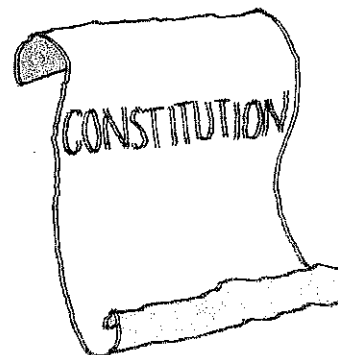


What compromise did the Federalists finally agree to make in order to get enough support for the Constitution to be ratified?

Why did the Federalists agree to add a bill of rights to the Constitution?

A compromise was reached on the issue of a bill of rights. The Federalists made this compromise to get enough support for the Constitution so that it would be ratified. They agreed that when the first Congress was held, it would draft a bill of rights.

The argument to add a bill of rights was a victory for the Anti-Federalists. It was an important addition to the Constitution and has been of great importance in the protection of the basic rights of the American people.



Would your class ratify the new constitution?

Imagine that your class is one of the original thirteen states. You are holding a ratifying convention to decide if your state will approve the new constitution. The students in the class are delegates to the state convention. Divide the class into two groups. One group represents the Anti-Federalists. The other group represents the Federalists.

GETTING READY FOR THE DEBATE

The debate questions are below:

- Will republican government work in such a large country?
- Does the Constitution give the national government too much power?
- Does the Constitution need to have a bill of rights?

Apply what you have learned from this text to help you prepare your arguments. You may want to divide your group into three smaller groups, so that each smaller group can prepare responses for one of the questions.

PARTICIPATING IN THE DEBATE

Before the debate begins, establish a few rules. Decide upon the amount of time each group gets to speak and how many turns each group should get.

Decide which group gets to speak first on each of the three questions.

Select one student from your group to moderate the debate. He or she should read the questions aloud to the class, call on groups to speak, and keep track of time limits.

At the end of the debate, each group should give a short summary of its arguments. Finally, everyone in the class should vote on whether or not to ratify the new constitution.

EVALUATING THE DECISION

Your class should discuss the results of the debate.

- ① What do you think were the best arguments for ratifying the Constitution?
- ② What were the best arguments against ratifying the Constitution?
- ③ What might have happened to the country if the states had not ratified the Constitution?

LESSON REVIEW

- ❶ Why did the Framers oppose submitting the Constitution to the existing Congress or state governments for ratification?
- ❷ What process did the Framers select for ratifying the Constitution? How did the Preamble to the Constitution help them decide on this method?
- ❸ What arguments did the Anti-Federalists make against ratifying the Constitution?
- ❹ How did the Federalists respond to the criticisms of the Constitution made by the Anti-Federalists?
- ❺ The Anti-Federalists lost their battle to prevent adoption of the Constitution. Their struggle, however, permanently shaped the new Constitution. Explain how the ideas and concerns of the Anti-Federalists accomplished this. Why was this struggle important? Why is it relevant today?
- ❻ Explain how the ratification process provided a widespread public debate about an important political decision.

ACTIVITIES

- ❶ Learn more about *The Federalist*. Find information in your library or on the Internet. Write your own Federalist paper. Read it to your class.
- ❷ Imagine that you are an Anti-Federalist. Make a collage that illustrates your point of view about the Constitution. Include references to actual Anti-Federalist writings. Be prepared to defend your design before the class.
- ❸ Imagine that people in 1787 drove cars like ours. Create a bumper sticker that reflects either a Federalist or Anti-Federalist point of view about the new constitution.
- ❹ Conduct research to find information about African American Federalist or Anti-Federalist writers, such as Brutus and Federal Farmer.